

net takes effect, by or from the district courts of the several counties named in this act; and to provide for the appointment of a district judge for the Fifty-ninth Judicial District of Texas, and declaring an emergency,' changing the time of holding court in the Fifty-ninth Judicial District, to empanel a grand jury for Grayson county, and providing that the judge of the Fifteenth Judicial District may empanel a grand jury for Grayson county in his discretion, adding Section 8a, validating process, etc., issued in the Fifteenth and Fifty-ninth Districts, and declaring an emergency."

And find the same correctly engrossed.
WARD, Chairman.

Committee Room,
Austin, Texas, April 27, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 37, "An Act to amend Section 7, Chapter 55, page 509, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907, entitled 'An Act creating and incorporating the Lubbock Independent School District, in Lubbock county, Texas; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect a tax, not exceeding one-half of one per cent on a one hundred dollars valuation of all property in said district, and providing an emergency,'"

And find the same correctly engrossed.
WARD, Chairman.

PETITIONS AND MEMORIALS.

By Senator Senter:

Venus, Texas, April 24, 1909.

To the Legislature of Texas.

As citizens and taxpayers of Texas, loyal to her interests and earnest in the purpose of her legislation should be both wise and efficient, we emphatically protest against the passage of the Cureton-Mobley bank guaranty bill, or any other bill embodying the same principles.

We do not oppose, but favor, practical legislation that will require State banks of this State to individually furnish such security or indemnity, as may be

provided by law, as will afford their depositors absolute protection. We know that such legislation will result in such protection; that it is within the power of the State to enact it; and that the wisdom of the Legislature may be entrusted with its provisions. Not only will such a law protect depositors, but it will accord with sound principles by justly placing the burden of such protection upon the individual banks, requiring each to stand upon its own merits without fictitious advantage, and to answer for its own liabilities.

The effectiveness of such a law to accomplish security for bank depositors removes any pretext for the enactment of the Cureton-Mobley bill, which directly violates the fundamental doctrine of individual merit and individual responsibility by making all State banks answerable for the debts of one—the very essence of Socialistic creed and practice.

The needs of Texas do not require resort to these alien doctrines—always prolific in promise, but always disappointing in actual results; her business honor and integrity deserve no such reproach; and as citizens we protest against her legislative authority being converted into an experimental field for their exploitation.

Numerously signed.

By Senator Harper:

Wortham, Texas, April 24, 1909.

To Hons. A. J. Harper and J. Ross Bell,
Austin, Texas.

We, the undersigned, citizens of Wortham and vicinity, respectfully request that you use all honorable means within your power to secure the passage of the Meachum-Greer guaranty bill, amended so as to make it obligatory that all State banks come under this law.

Numerously signed.

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, April 28, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Bryan.
Alexander.	Cofer.
Brachfield.	Greer.

Harper.	Peeler.
Hayter.	Senter.
Holsey.	Stokes.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Veale.
Mayfield.	Ward.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Absent.

Perkins.	Sturgeon.
Real.	

Prayer by the Chaplain of the House,
Rev. W. J. Joyce.

Pending the reading of the Journal of
yesterday, on motion of Senator
Weinert, the same was dispensed with.
Morning call concluded.

SENATE BILL NO. 12.

The Chair laid before the Senate, on
second reading and regular order,

Senate bill No. 12, A bill to be entitled
"An Act to amend Sections 4, 8 and
10, and to repeal Section 9 of Chapter
137 of the General Laws of the Thirtieth
Legislature, page 254, entitled
'An Act changing the official title of the
State Fish and Oyster Commissioner to
Game, Fish and Oyster Commissioner;
providing for his salary and fixing his
additional powers and duties; providing
for a hunting license for non-resident
hunters; providing that funds received
from the sale of hunting licenses and
fines received from prosecutions for a
violation of the game and bird laws
shall be used only for the protection
and propagation of birds and game, and
all the salaries and expenses provided
by this act; and providing for the en-
forcement of the game and bird laws
of this State, and providing penalties
for the violation thereof;' prescribing
duties of the Game, Fish and Oyster
Commissioner and his deputies; provid-
ing for collection and disposition of fines
and license fees; prohibiting hunting
without license; providing that county
clerks shall issue hunting licenses; pro-
viding fees, requiring reports and es-
tablishing duties of commissioners,
clerks and Comptroller."

(Senator Mayfield in the chair.)

The bill was read, and Senator Hudspeth offered the following amendment, which was read and adopted.

Amend the bill by adding the following section to be known as Section 6:

"Section 6. The fact that the present game law does not adequately protect the wild game of our State from wholesale slaughter, creates an emergency that the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended, and this act take effect from and after its passage."

Senator Masterson offered the following amendment, which was read and adopted:

Amend Section 8 of the bill by striking out the words "he desires to hunt," in line 26, as Section 8 appears in Journal, and insert in lieu thereof the words "he resides."

MASTERSON,
PEELER,
ALEXANDER.

Senator Weinert offered the following amendment, which was read and adopted:

Amend Section 8, by adding after the words "protected by the game laws of this State" the following: "On premises not his own or under his control."

Senator Brachfield offered the following amendment:

Provided, that the license fee here charged shall not be collected from anyone except those hunters killing deer and turkeys; and not against those hunting birds in season:

BRACHFIELD,
TERRELL of McLennan.

Senator Hudspeth moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—17.

Adams.	Masterson.
Alexander.	Peeler.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Veale.
Hayter.	Ward.
Hudspeth.	Watson.
Hume.	Willacy.
Kellie.	

Nays—9.

Brachfield.	Stokes.
Holsey.	Terrell of McLennan.
Mayfield.	Thomas.
Murray.	Weinert.
Paulus.	

Absent.

Harper.	Real.
Meachum.	Sturgeon.
Perkins.	

Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend the caption of the bill by adding thereto the following, "and declaring an emergency."

Senator Willacy offered the following amendment:

Amend the bill by adding at the end of Section 8 the following: "Provided, the open season for hunting quail and turkey shall be from the first day of December to the first day of the succeeding March in all counties lying north of the north boundary lines of the following counties: El Paso, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Comanche, Erath, Bosque, Hill, Limestone, Freestone, Anderson, Cherokee, Rusk and Panola, and the open season for hunting quail and turkey shall be from the first day of November to the first day of the following February in all counties south of the north boundary lines of the following counties, to-wit: El Paso, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Comanche, Erath, Bosque, Limestone, Freestone, Anderson, Cherokee, Rusk and Panola."

Senator Brachfield offered the following amendment to the amendment:

Amend the amendment by striking out "Rusk and Panola" whenever it occurs in the bill, and by adding the counties of Nacogdoches and Shelby in their places.

The amendment to the amendment was adopted.

Senator Senter offered the following amendment to the amendment:

Amend the bill by adding at the end of the amendment of Senator Willacy the following: "Providing further, that the open season for hunting doves shall be from the 15th day of August to the first day of March in all counties of the State."

ALEXANDER,
SENER.

The amendment to the amendment was adopted.

Action recurred on the amendment, as amended, and Senator Hume moved to table same.

The motion to table was lost.

The amendment, as amended, was then adopted.

Senator Terrell of Bowie offered the following amendment, which was adopted:

Amend the caption of the bill by

adding thereto the following, before the words "and declaring an emergency": "The open season in certain portions of the State for hunting doves, quail and turkey, and providing the season during which deer may be killed, and repealing all parts of laws in conflict therewith."

WILLACY,
TERRELL of Bowie.

Bill read second time, and ordered engrossed.

Pending discussion on the bill, Senator Hudspeth moved to reconsider the vote by which the bill was ordered engrossed, which motion was adopted.

Senator Murray offered the following amendment, which was read and adopted:

Amend the bill by striking out of Section 10 the following language:

"If there be a resident deputy game, fish and oyster commissioner in any such county, he shall be entitled to receive a fee of fifty cents out of the amount of each license issued, which shall be paid monthly out of said special fund upon warrant of the Comptroller, based upon the verified account of such deputy and approved by the county clerk, and State Game, Fish and Oyster Commissioner; provided, that no such fees shall be paid for any month until the report and remittances of the county clerk have been made in accordance with the provisions of this act."

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Murray.
Alexander.	Paulus.
Cofer.	Peeler.
Greer.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Nays—3.

Brachfield.	Thomas.
Harper.	Absent.
Bryan.	Perkins.

Real. Sturgeon.
Senter.

The bill was read third time and passed by the following vote:

Yeas—17.

Alexander.	Murray.
Bryan.	Paulus.
Greer.	Peeler.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Meachum.	

Nays—0.

Adams.	Mayfield.
Brachfield.	Stokes.
Cofer.	Thomas.
Harper.	Weinert.
Holsey.	

Absent.

Perkins	Sturgeon.
Real.	Willacy.
Senter.	

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 28, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House bill No. 17, and requests the appointment of a Free Conference Committee.

The following has been appointed on the part of the House: Messrs. Maxwell, Tarver, Ridgway, Harman and Bowman.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 18.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 18, A bill to be entitled "An Act concerning surety companies authorized to transact business in this State and their agents, and to permit such companies and such agents to form

an association for the purpose of gathering statistics, exchanging experiences and ascertaining the fair and reasonable rates to be paid them for their suretyship, and to maintain such rates, and to prevent losses arising from dishonesty or dereliction of duty of public officers, trustees and others, and to prevent discriminations, favoritism or rebates, and declaring an emergency."

Pending discussion on the bill, Senator Peeler moved that the further consideration of the bill be postponed until next Monday morning after the morning call.

The motion prevailed.

SENATE BILL NO. 38.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 38, A bill to be entitled "An Act to create a more efficient road system for Wood county, Texas," etc.

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Cofer.	Peeler.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Thomas.
Hume.	Veale.
Masterson.	Watson.
Mayfield.	Weinert.

Absent.

Bryan.	Sturgeon.
Kellie.	Ward.
Perkins.	Willacy.
Real.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Greer.
Alexander.	Harper.
Brachfield.	Hayter.
Cofer.	Holsey.

Hudspeth.	Senter.
Hume.	Stokes.
Masterson.	Terrell of Bowie.
Mayfield.	Terrell of McLennan.
Meachum.	Thomas.
Murray.	Veale.
Paulus.	Watson.
Peeler.	Weinert.

Absent.

Bryan.	Sturgeon.
Kellie.	Ward.
Perkins.	Willacy.
Real.	

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILL SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

House bill No. 53, "An Act to amend the city charter of the city of Greenville and the acts amendatory of said city charter of the city of Greenville, and to amend an act to amend said charter, approved the 22d day of March, 1909, by amending Section 1 of Article 3, Section 13a of Article 8 and Subdivision 18 of Section 15 of Article 8, and declaring an emergency."

RECESS.

On motion of Senator Terrell of Bowie, the Senate recessed until 3 o'clock today.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

ADJOURNMENT.

There being nothing on the calendar, on motion of Senator Kellie, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

COMMITTEE REPORTS.

(Majority Report.)

Committee Room,
Austin, Texas, April 27, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House bill No. 5, A bill to be entitled "An Act providing for the completion by the Penitentiary Board of Commissioners of the railroad now owned by the State of Texas at Rusk Penitentiary, for its maintenance, equipment and operation; providing for condemnation of right of way and material therefor, and other property; providing for condemnation proceedings; providing for the issuance of bonds by the Board of Penitentiary Commissioners aggregating \$200,000, bearing interest at 5 per cent per annum; providing that \$150,000 shall be used to redeem bonds issued under and by virtue of Chapter 74 of the Acts of the Thirtieth Legislature; providing a lien upon said State railroad, its equipment; providing a method of redemption of said bonds; providing for authority to said board to accept gifts and donations to aid in the construction of said railroad; providing for the purchase of said bonds by the Board of Education out of the permanent school fund; providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, April 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred

House bill No. 5, A bill to be entitled "An Act providing for the completion by the Penitentiary Board of Commissioners of the railroad now owned by the State of Texas at Rusk Penitentiary, for its maintenance, equipment and operation; providing for condemnation of right of way and material therefor, and other property; providing for condem-

nation proceedings; providing for the issuance of bonds by the Board of Penitentiary Commissioners aggregating \$200,000, bearing interest at 5 per cent per annum; providing that \$150,000 shall be used to redeem bonds issued under and by virtue of Chapter 74 of the Acts of the Thirtieth Legislature; providing a lien upon said State railroad, its equipment; providing a method of redemption of said bonds; providing for authority to said board to accept gifts and donations to aid in the construction of said railroad; providing for the purchase of said bonds by the Board of Education out of the permanent school fund; providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency."

Have had the same under consideration; and beg leave to report it back to the Senate with the recommendation that it do not pass, but that the following in lieu thereof do pass:

A BILL

To Be Entitled

An Act providing for the completion by the Penitentiary Board of Commissioners of the railroad now owned by the State of Texas at the Rusk Penitentiary; for its maintenance, equipment and operation and for the sale of said railroad by said board, and providing that \$200,000 shall be set aside out of any fund to the credit of the general revenue of the State in the State Treasury to be used for the purpose of completing said railroad to the town of Palestine and to properly equip said railroad and also for the purpose of taking up and redeeming twenty bonds of face value of \$150,000, authorized and issued by virtue of Chapter 74 of the Acts of the Thirtieth Legislature, and to pay the interest thereon, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That for the purpose of securing the means with which to complete and equip the railroad from Rusk to Palestine, now owned by the State and securing the repayment of the money advanced for use in building same, as provided for in Chapter 74 of the Acts of the Thirtieth Legislature, there shall be and is hereby set aside and appropriated out of any funds to the credit of the general revenue now in the State Treasury the sum of \$200,000, which shall be paid out for the purposes hereinafter stipulated upon

warrants drawn by the Comptroller of Public Accounts.

Sec. 2. The sum of \$50,000 of said amount set aside under the provisions of Section 1 hereof shall be paid over by the Comptroller of Public Accounts to the Board of Penitentiary Commissioners, as required by said board upon its written orders therefor, to be used by said board for the purposes of completing to the town of Palestine the railroad now owned by the State and extended from the town of Rusk, and to pay all charges that may be necessarily incurred in connection therewith, and to equip said railroad with suitable and sufficient rolling stock.

Sec. 3. The sum of \$150,000, or so much thereof as may be necessary, set aside and appropriated under the provisions of Section 1 hereof shall be used by the Comptroller of Public Accounts for the purpose of taking up and redeeming twenty bonds, aggregating said amount, authorized by and issued in virtue of Chapter 74 of the Acts of the Thirtieth Legislature.

Sec. 4. The Board of Penitentiary Commissioners shall be authorized, and it is hereby made their duty to complete to the town of Palestine the said railroad owned by the State as speedily as practicable. When said railroad shall be completed to the town of Palestine, it shall be the duty of the Penitentiary Commissioners to advertise the same for sale, by giving notice thereof in at least three daily newspapers published in the State of Texas and in at least one daily newspaper published in the city of New York. Said railroad shall be sold either at public or private sale under conditions as to terms and with respect to all other matters relating thereto as may be fixed by the Board of Penitentiary Commissioners; provided, that the selling price shall not be less than \$15,000 per mile, including the rolling stock and other appurtenances thereof.

Sec. 5. When said railroad shall be sold as herein provided for the proceeds shall be appropriated:

1. To the repayment to the general revenue of the amount used out of the appropriation herein made for the completion of said railroad and for the taking up of the bonds issued therefor under the provisions of Chapter 74 of the Thirtieth Legislature.

2. The remainder of the proceeds of the sale of the railroad shall be deposited in the State Treasury to the credit of the penitentiaries, to be used and appropriated as any other proceeds of operation of the penitentiaries; pro-

vided, that the sum of \$100,000 shall be, and is hereby set apart specifically out of such proceeds for the purpose of placing in full and active operation the iron furnaces in the penitentiary at Rusk.

Sec. 6. The fact that there now exists no law providing for the means to complete the railroad owned by the State to the town of Palestine, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

SENTER,
MURRAY,
HUME.

PETITIONS AND MEMORIALS.

By Senator Weinert:

Seguin, Texas, April-21, 1909.

We, the undersigned constituents of the Hon. F. C. Weinert, Senator from this senatorial district, desire to express our confidence in the judgment and ability of our Senator, and to declare that we have full faith in his unswerving Democracy, his allegiance to the party tenets, and his unquestionable capacity to interpret them. We desire to offer no instructions to him upon pending legislation, because we elected him seeking to avail ourselves of his wisdom and his capacity to protect and further our interests and those of our great State. We believe in legislation providing for safe, wise and conservative banking institutions in this State, and that the party's principles as announced in its platform should be a guide to its representatives; but in enacting these principles into law we believe it unsafe and unwise to ask our representatives to yield their interpretation of platform principles, and we reiterate our reliance upon the capacity of our Senator to wisely exercise his judgment in seeking to carry out the party's principles on this, as on all other questions.

Numerously signed.

By Senator Meachum:

To the Hon. McDonald Meachum, Member of the Senate of Texas, now in Session.

We, the undersigned citizens of Grimes county and your supporters, believing you at all times receive the views of your constituents with an eye single

to legislation to the best interest of the public, and especially to your district, respectfully represent: That we feel it our duty to advise you that we are opposed to the bill now pending before the lower House to build a State railroad and issue bonds therefor and the State School Board ordered to buy these bonds with the permanent school fund. We believe this a departure from the policy of our forefathers and a dangerous investment and a speculation on that sacred fund; therefore, as your supporters, we earnestly request that in your usual vigor you oppose the passage of such a bill should it reach the Senate.

Numerously signed.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, April 29, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Stokes.
Cofer.	Terrell of Bowie.
Greer.	Terrell of McLennan.
Hayter.	Thomas.
Holsey.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Absent.

Harper.	Real.
Hudspeth.	Senter.
Perkins.	Sturgeon.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Weinert, the same was dispensed with.

Morning call concluded.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 29, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to